

**SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
OCTOBER 9, 2003**

BUREAU OF LAND AND WASTE MANAGEMENT

Hazardous Waste Enforcement

- 1) Order Type and Number: Consent Order 03-22-HW
 Order Date: August 18, 2003
 Responsible Party: **Rose Talbert Paint Company**
 Location/Mailing Address: 901 Frink Street
 Cayce, SC 29171

 County: Lexington
 Previous Orders: None
 Permit Number: SCD 065 047 854
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2) and the South Carolina Hazardous
 Waste Management Regulations 61-79.262.11, R.61-79.262.15(d), R.61-
 79.262.34(a)(2), R.61-79.262.34(c)(1)(ii), R.61-79.262.34(d), R.61-
 79.262.44(b), R.61-79.265.171, and R.61-79.265.173(b), (c), and (d).

Summary: Rose Talbert Paint Company (Respondent) blends resins and dyes into base paints for local industries. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination; failure to maintain logs of weekly drum inspections; failure to label containers holding hazardous waste with an accumulation start date; failure to mark containers either with the words "Hazardous Waste" or with other words that identify the contents; failure to store hazardous waste onsite for 180 days or less; failure to declare generator status annually on or before January 31; failure to transfer hazardous waste from a container not in good condition to a container that was in good condition; failure to handle containers holding hazardous waste in a manner that would not cause them to leak or rupture; failure to label containers of hazardous waste with the words, "Hazardous Waste-federal laws prohibit improper disposal;" and, failure to label containers of hazardous waste with the appropriate EPA Hazardous Waste Number(s).

Action: The Respondent has agreed to: now and in the future, ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; and pay a civil penalty in the amount of thirteen thousand dollars (**\$13,000.00**).

- 2) Order Type and Number: Consent Order 03-25-HW
 Order Date: August 26, 2003
 Responsible Party: **Robert Bosch Corporation**

Location/Mailing Address: 8101 Dorchester Road
Charleston, SC 29418
County: Dorchester
Previous Orders: None
Permit Number: SCD 065 055 766
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations 61-79.262.34(a)(3), R.61-79.262.20(a), R.61-79.262.20(b), R.61-79.262.20(g), R.61-79.268.7(a)(2), R.61-79.262.13(d), R.61-79.262.41, and R.61-79.265.75(a)(3).

Summary: Robert Bosch Corporation (Respondent) is a manufacturer of fuel injectors and other automotive parts. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to label or mark clearly each container and tank accumulating hazardous waste with the EPA Hazardous Waste Number and the words: "Hazardous Waste – federal laws prohibit improper disposal;" failure to utilize a permitted hazardous waste transporter; failure to prepare a hazardous waste manifest when transporting or offering for transport hazardous waste for offsite disposal; failure to send a onetime written notice to each treatment or storage facility receiving the waste relating to its Land Disposal Restriction status; failure to designate on the manifest one facility which is permitted to handle hazardous waste; failure to file a revised or new Notification Form (DHEC 2701) when the information previously submitted became outdated or inaccurate; and, failure to submit a written quarterly report to include the types and quantities of hazardous waste treated, stored, disposed of, or otherwise handled during the reporting period.

Action: The Respondent has agreed to: ensure that the flash point of their audit fluid/waste oil mixture exceeds 140 degrees Fahrenheit or is otherwise nonhazardous; ensure that Quarterly Reports are submitted in accordance with R.61-79.262 Subpart D – Recordkeeping and Reporting and R.61-79.265.75 – Quarterly Reporting; and, pay a civil penalty in the amount of sixteen thousand dollars (**\$16,000.00**).

Solid Waste Enforcement

3) Order Type and Number: Consent Order 03-28-SW
Order Date: August 4, 2003
Responsible Party: **Bees Ferry Road Municipal Solid Waste Landfill**
Location/Mailing Address: 13 Romney Street
Charleston, SC 29403
County: Charleston
Previous Order(s): None
Permit Number: 101001-1101

Violation(s) Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), 25A S.C. Code Ann. Reg. 61-107.258.21.a., Reg. 61-107.258.21.b., Reg. 61-107.258.27, Reg. 61-107.258.31.a.(1), and Reg. 61-107.258.31.a.(2) (Supp. 2002).

Summary: Bees Ferry Road Municipal Solid Waste Landfill (Landfill) failed to maintain adequate long-term cover between September 2001, and November 2002; failed to maintain adequate short-term cover during the months of October 2002 and November 2002; failed to prevent leachate seeps from entering the stormwater management system during the period of September 2002 through November 2002; failed to maintain an adequate amount of equipment in service to properly operate the landfill during the months of September 2002, and October 2002; and, failed to maintain an adequate reserve of equipment to properly operate the landfill during the months of September 2002, and October 2002. These constitute violations of the Municipal Solid Waste Landfills Regulation.

Action: Consent Order 03-28-SW requires the Landfill to submit to the Department a report addressing the violations, and to pay to the Department a civil penalty in the amount of twelve thousand, five hundred sixty-five dollars (**\$12,565.00**) within thirty (30) days of receipt of a copy of the fully executed Order.

4) Order Type and Number: Consent Order 03-29-SW
Order Date: August 4, 2003
Responsible Party: **Ace Recycling – Solid Waste Processing Center**
Location/Mailing Address: 508 Cherokee Rd., Pelzer, SC 29669
County: Anderson
Previous Orders: None
Permit Number: 042663-2001
Violations Cited: Solid Waste Processing Facilities Regulation, 25A S.C. Code Ann. Reg. 61-107.6.H.1. (Supp. 2002); Solid Waste Processing Facility Permit # 042663-2001, Section 9.1.

Summary: The Respondent failed to maintain and fund a financial responsibility mechanism, as required by the Regulation and its permit.

Action: The Respondent has established a financial assurance mechanism and the Order requires the Respondent to ensure that the financial assurance mechanism does not lapse at any time during the operating life of the facility; and, within one (1) year, pay to the Department a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**). The first civil penalty payment of \$525.00 is due on November 7, 2003.

5) Order Type and Number: Consent Order 03-30-SW
 Order Date: August 5, 2003
 Responsible Party: **North Myrtle Beach Composting Facility, LLC.**
 Location/Mailing Address: 3700 Livingston Circle
 Little River, SC 29566/
 PO Box 885
 North Myrtle Beach, SC 29597
 County: Horry
 Previous Orders: None
 Permit Number: 262666-3001
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), the Yard Trash and Land-Clearing
 Debris; Compost Regulation, 25A S.C. Code Ann. Reg. 61-107.4.D, Reg.
 61-107.4.E.2., Reg. 61-107.F.3., Reg. 61-107.4.F.11.c., Reg. 61-
 107.4.G.1., (Supp. 2002), and Composting Registration # 262666-3001.

Summary: North Myrtle Beach Composting Facility, LLC. (Facility) has failed to operate in accordance with the approved site plan as a component of Registration # 262666-3001 (Registration), including the number, location, and dimensions of windrows and has modified the Facility prior to providing a revised operational plan to the Department for approval. These constitute violations of the Facility's Registration, the Yard Trash and Land-Clearing Debris; and Compost Regulation (Regulation). The Facility failed to follow acceptable management practices to produce a humus-like material and failed to separate and properly dispose of unacceptable solid waste. The Facility also failed to provide fire lanes and buffers and provide financial assurance. These actions are additional violations of the Regulation.

Action: Through the Order, the Facility shall submit to the Department any necessary reporting requirements as outlined in the Regulation to modify the current Registration within thirty (30) days from the receipt of the executed Consent Order and provide proof of financial assurance within fifteen (15) days from the receipt of the executed Consent Order. The Order also requires the Facility to submit to the Department a detailed plan in writing, to be reviewed and approved by the Department, to address the remediation/correction of registration and regulatory violations from implementation through completion, as outlined in the Order, within thirty (30) days from the receipt of the executed Consent Order. The Order also requires the Facility to pay to the Department a civil penalty of five thousand, four hundred dollars (\$5,400.00), to be paid to the Department in quarterly installments.

- 6) Order Type and Number: Consent Order 03-31-SW
 Order Date: August 15, 2003
 Responsible Party: **Jason Rodgers d.b.a. Rodgers**
 Excavating
 Location/Mailing Address: 7663 Fairview Road
 Batesburg, SC 29006
 County: Lexington
 Previous Order(s): None
 Permit Number: None
 Violation(s) Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), 25A S.C. Code Ann. Reg. 61-
 107.11, Part IV, A.8. (Supp. 2002).

Summary: Mr. Jason Rodgers (Mr. Rodgers) engaged in open dumping of construction, demolition, and land-clearing debris on property (Site) owned by his mother in Lexington County, SC. This constitutes a violation of the Construction, Demolition and Land-Clearing Debris Landfills Regulation.

Action: Consent Order 03-31-SW requires Mr. Rodgers to remove the solid waste from the Site; submit receipts to the Department for the lawful disposal of the solid waste; and, to remediate the Site to the satisfaction of the Department. The Department assessed a civil penalty in the amount of three thousand, five hundred dollars (\$3,500.00); however, the Department suspended the penalty based on Mr. Rodgers' financial inability to pay a civil penalty.

- 7) Order Type and No. : Consent Order 02-ALJ-07-0527-CC
 Order Date: August 19, 2003
 Responsible Party: **Jesse Black d.b.a. Cliffdale Road**
 Land-Clearing Debris Landfill
 Location/Mailing Address: 967 Bethesda Road
 Spartanburg, SC 29302
 County: Spartanburg
 Previous Order(s): Administrative Order 02-31-SW
 (\$13,125.00)
 Violation(s) Cited: General Permit, Land-
 Clearing Debris and Yard Trash Landfills, Section III.B.1, B.4, B.6, B.7,
 B.8; South Carolina Solid Waste Policy and Management Act of 1991,
 (2002), 25A S.C. Code Ann. Reg. 61-107.11, Part IV, A.8. and B.1.
 (Supp. 2001); Pollution Control Act, 48-1-90 (1987).

Summary: Mr. Black unlawfully disposed of construction and demolition (C&D) debris at his land-clearing debris landfill, over a period of two years, in violation of the General Permit, the Construction, Demolition and Land-Clearing Debris Landfills Regulation, and the Pollution Control Act.

Action: The Department was unable to reach consent with Mr. Black, and issued Administrative Order 02-31-SW, which was executed on September 30, 2002. Prior to the Administrative Law Judge Division (ALJD) hearing, a settlement between the Department and Mr. Black was effected by Mr. Black's legal counsel, resulting in Consent Order 02-ALJ-07-0527-CC. The Consent Order requires that Mr. Black comply with his permit and all applicable regulations. The ALJD will have continuing jurisdiction of this matter for a period of twelve (12) months from the execution date of the Consent Order, and either party may petition the ALJD for immediate hearing during this twelve (12) month period concerning issues related to the terms of Mr. Black's permit and/or compliance with applicable regulations. The Department assessed a civil penalty of thirteen thousand, one hundred twenty-five dollars (\$13,125.00), but suspended the penalty due to Mr. Black's financial circumstances. However, if Mr. Black violates the requirements of his permit and/or the applicable regulations, then the entire penalty shall be due and payable upon written notice by the Department to Mr. Black and to the ALJD. Mr. Black has completed the removal of all unauthorized waste from his landfill.

BUREAU OF WATER

Drinking Water Enforcement

8)	<u>Order Type and No.:</u>	CO 03-111-DW
	<u>Order Date:</u>	August 4, 2003
	<u>Responsible Party:</u>	Jasper County
	<u>Facility:</u>	Cypress Ridge Utility Improvements
	<u>Location/Mailing Address:</u>	PO Box 1149 Ridgeland, SC 29936
	<u>County:</u>	Jasper
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	18,288-WS
	<u>Violation(s) Cited:</u>	24A S.C. Code Ann. Regs. 61-58.1

Summary: Jasper County (Respondent) owns a public water distribution system that serves Cypress Ridge Industrial Park. The Respondent failed to obtain a construction permit prior to initiating construction of the water distribution system.

Action: The Respondent has agreed to: (1) comply with all applicable State and Federal laws and regulations; and, (2) within thirty (30) days of the Order date, pay a civil penalty of eight hundred fifty dollars (**\$850.00**).

9)	<u>Order Type and No.:</u>	AO 03-131-DW
	<u>Order Date:</u>	July 29, 2003
	<u>Responsible Party:</u>	Winner Carolina Hotel Properties

Facility: Days Inn at Waccamaw Public Pool
Location/Mailing Address: 32 West State Street
Sharon, PA 16146
County: Horry
Previous Order(s): None
Permit/System Number: 26-A66-B
Violation(s) Cited: S.C. Code Ann. § 44-55-2370

Summary: The Department issued AO 03-086-DW against Winner Carolina Hotel Properties (Respondent) for failure to properly operate and maintain a public swimming pool. The Department later received information that the Respondent did not own the pool at the time of the violations.

Action: The Department withdrew and vacated AO 03-086-DW in its entirety.

10) Order Type and No.: CO 03-144-DW
Order Date: August 15, 2003
Responsible Party: **WCSP, L. P.**
Facility: Days Inn at Waccamaw Public Pool
Location/Mailing Address: 32 West State Street
Sharon, PA 16146
County: Horry
Previous Order(s): None
Permit/System Number: 26-A66-B
Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-51 (J)

Summary: WSCP, L.P. (Respondent) is responsible for the proper operation and maintenance of a public swimming pool. The Respondent failed to properly operate and maintain its public swimming pool.

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool in accordance with the Public Swimming Pool regulations; (2) within thirty (30) days of the Order date, pay the 2003 operating fees of \$137.50; and, (3) within thirty (30) days of the Order date, pay a civil penalty of one thousand four hundred forty dollars (**\$1,440.00**).

11) Order Type and No.: CO 03-151-DW
Order Date: August 28, 2003
Responsible Party: **Carolina Custom Pools, Inc.**
Facility: South Meadows Subdivision
Location/Mailing Address: PO Box 2089
Lexington, SC 29071
County: Aiken
Previous Order(s): None

Permit/System Number: 02-1009-B
Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-51
(B)(2)

Summary: Carolina Custom Pools, Inc. (Respondent) is a licensed pool contractor in the State of South Carolina. The Respondent began construction on a public swimming pool prior to receiving a Permit to Construct.

Action: The Respondent has agreed to: (1) comply with all pertinent State laws and regulations concerning public swimming pool construction and permitting; and, (2) within thirty (30) days of the Order date, pay a civil penalty of three hundred dollars (**\$300.00**).

12) Order Type and No.: CO 03-152-DW
Order Date: August 28, 2003
Responsible Party: **Lewis A. Fowler**
Facility: Hartsville Country Club
Location/Mailing Address: PO Box 5001
Florence, SC 29071
County: Darlington
Previous Order(s): None
Permit/System Number: 16-1003-C
Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-51
(B)(2)

Summary: Lewis A. Fowler (Respondent) d/b/a Quality Pools & Spas is a licensed pool contractor in the State of South Carolina. The Respondent began construction on a public swimming pool prior to receiving a Permit to Construct.

Action: The Respondent has agreed to: (1) comply with all pertinent State laws and regulations concerning public swimming pool construction and permitting; and, (2) within thirty (30) days of the Order date, pay a civil penalty of two hundred seventy dollars (**\$270.00**).

Water Pollution Enforcement

13) Order Type and No.: AO 03-116-W
Order Date: July 16, 2003
Responsible Party: **David Healan**
Facility: Healan Hog Farm
Location/Mailing Address: 2111 Bethel Church Road
Sumter, SC 29150
County: Clarendon
Previous Order(s): None

Permit Number: 17688-AG
Violation(s) Cited: S.C. Code Ann. Regs. 61
43.100.20.A, and .C, S.C. Code Ann. Regs. 61-43.100.130.B.4
S.C. Code Ann. § 48-1.90(a)

Summary: David Healan (Respondent) is responsible for the proper operation and maintenance of the David Healan Hog Farm (Site). The Respondent failed to properly bury his hogs, failed to properly dispose of manure from his hogs, and manure discharged from his waste lagoon into the environment.

Action: The Respondent was ordered to: (1) operate and maintain his farm in accordance with regulatory requirements; (2) within ninety (90) days of the Order date, submit a revised Waste Management Plan; (3) within thirty (30) days of the Order date, submit a plan for an environmental assessment of the hog farm; and, (4) within thirty (30) days of the Order date, pay a civil penalty of seven thousand two hundred dollars (\$7,200.00).

14) Order Type and No.: AO 03-117-W
Order Date: July 18, 2003
Responsible Party: **Ernest B. Fleenor**
Facility: Pickney Street Property
Location/Mailing Address: 711 Mills Avenue
Greenville, SC 29605
County: Greenville
Previous Order(s): None
Permit/System Number: None
Violation(s) Cited: 25A S.C. Code Ann. Regs. 61-68.
S.C. Code Ann § 48-1-90(a)

Summary: Ernest B. Fleenor (Respondent) owns property located at 904 Pinckney Street (Site). The Respondent allowed hydrocarbons to seep into the groundwater at the Site, and as a result failed to maintain groundwater quality levels at the Site.

Action: The Respondent was ordered to: (1) within sixty (60) days of the Order date, submit a Site Assessment Plan; (2) within sixty (60) days of completion of the Site Assessment Plan, submit a Final Assessment Report; (3) with thirty (30) days of the Order date, submit a corrective action plan (CAP) to address the presence of petroleum hydrocarbons; (4) upon approval, implement the CAP and submit a monitoring program for future monitoring at the Site; (5) continue monitoring until Class GB groundwater standards are achieved for two (2) consecutive sampling events at least six (6) months apart; and, (6) within thirty (30) days of the Order date, pay a civil penalty of ten thousand dollars (\$10,000.00).

17)	<u>Order Type and No.:</u>	CO 03-140-W
	<u>Order Date:</u>	August 15, 2003
	<u>Responsible Party:</u>	School District of Greenville
		County
	<u>Facility:</u>	Mountain View Elementary
	<u>Location/Mailing Address:</u>	2 Space Drive
		Taylors, SC 29687
	<u>County:</u>	Greenville
	<u>Previous Orders(s):</u>	None
	<u>Permit/System Number:</u>	SCR106056
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61-
		9.122.41(a) S.C. Code Ann. 48-1-90(a)

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a report prepared by an SC registered engineer stating all the sediment has been properly removed from the road; (3) submit a report prepared by an SC registered engineer stating all the storm water controls are in place and functioning at the Site; and, (4) within thirty (30) days of the Order date, pay a civil penalty of eight thousand four hundred dollars **(\$8,400.00)**.

18)	<u>Order Type and No.:</u>	CO 03-141-W
	<u>Order Date:</u>	August 4, 2003
	<u>Responsible Party:</u>	McShire Associates, Inc.
	<u>Facility:</u>	Smeltzer Mountain Subdivision
	<u>Location/Mailing Address:</u>	206 Passion Flower Way Sunset, SC 29685-9470
	<u>County:</u>	Oconee
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	SCR106561
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61 9.122.41(a) S.C. Code Ann. § 48-1-90(a)

Summary: McShire Associates, Inc. (Respondent) is responsible for the development and construction activities in the Smeltzer Mountain Subdivision (Site). The Respondent discharged sediment into waters of the State.

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water management and sediment and erosion controls in accordance with regulatory requirements; (2) within thirty (30) days of the Order date, have an SC registered engineer certify all storm water controls are in place and functioning; and, (3) within thirty (30) days of the Order date, pay a civil penalty of eleven thousand two hundred dollars (**\$11,200.00**).

19) Order Type and No.: CO 03-142-W
Order Date: August 19, 2003
Responsible Party: **Berkeley County Water & Sanitation Authority**
Facility: Hanahan WWTF & Lower Berkeley WWTF
Location/Mailing Address: PO Box 1090
Goose Creek, SC 29445
County: Berkeley
Previous Order(s): CO-01-192-W, (\$2,000) (Hanahan)
CO-02-090-W, (\$9,900) (Lower Berkeley)
Permit/System Number: SC0021041 (Hanahan – canceled)
SC0046060 (Lower Berkeley)
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d)
24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Berkeley County Water & Sanitation Authority (Respondent) owns and is responsible for the proper operation and maintenance of Lower Berkeley and Hanahan WWTFs. The Respondent failed to comply with the permitted discharge limits for acute toxicity, biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform and flow.

Action: The Respondent has agreed to: (1) operate and maintain the facility in accordance with applicable State and Federal regulations; (2) upgrade the Lower Berkeley WWTF according to the schedule of compliance contained in the Order; and, (3) within thirty (30) days of the Order date, pay a civil penalty of seven thousand dollar (**\$7,000.00**).

20) Order Type and No.: CO 03-143-W
Order Date: August 8, 2003
Responsible Party: **W.R. Grace & Co.**
Facility: Kearney Mill Site
Location/Mailing Address: 26383 Highway 221
Enoree, SC 29335
County: Laurens
Previous Orders: 03-054-W (\$0)
Permit/System Number: SC0045811
Violations Cited: None

Summary: W.R. Grace & Co. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving its vermiculite mining and preparation facility. The Respondent contacted Department staff to request an emergency discharge of evaporative tailings ponds at the site due to unusually heavy rainfall.

Action: The Respondent has agreed to: (1) discharge from the tailings pond at a rate not to exceed four thousand (4,000) gallons per minute; (2) ensure that discharges be monitored for TSS, dissolved oxygen (DO) and pH and that these fall within the following parameters: TSS - less than 110 mg/l; DO - not less than 5 mg/l; and pH - between 6.0 and 8.5; (3) take all practicable measures to ensure that the discharge does not result in sediment and erosion control problems in the receiving stream; (4) ensure compliance with the Emergency Notification Plan as required by its Dam Safety Permit; and, (5) apply for a storm water discharge permit to be issued by the Department.

21) Order Type and No.: CO 03-146-W
Order Date: August 26, 2003
Responsible Party: **City of Walterboro**
Facility: Walterboro WWTF
Location/Mailing Address: PO Box 709
Walterboro, South Carolina
County: Colleton
Previous Orders: CO 98-095-W (\$0)
CO 03-027-W (\$2,530)
Permit/System Number: SC0040436
Violation(s) Cited: S.C. Code Ann. 48-1-110(d)
24 S.C. Code Ann. Regs. 61-9.122.21(d)(1)

Summary: The City of Walterboro (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to submit a completed application for NPDES permit renewal.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) continue to operate and maintain the WWTF in accordance with the current permit until such time that a new permit is issued; and, (3) within thirty (30) days of the Order date, pay a civil penalty of one thousand four hundred dollars (**\$1,400.00**).

22) Order Type and No.: CO 03-147-W
Order Date: August 14, 2003
Responsible Party: **Aiken County Public Service Authority**
Facility: Horse Creek WWTF
Location/Mailing Address: PO Box 6548
North Augusta, SC 29861

County: Aiken
Previous Order(s): CO 02-169-W, (\$4,200)
Permit/System Number: SC0024457
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d)
24 S.C. Code Ann. Regs. 61-9.122.41(a).

Summary: Aiken County Public Service Authority (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with the permitted discharge limits for fecal coliform, DO and TSS.

Action: The Respondent has agreed to: (1) operate and maintain the facility in accordance with applicable State and Federal regulations; (2) submit a summary report of corrective actions taken to prevent future violations; and, (3) within thirty (30) days of the Order date, pay a civil penalty of two thousand dollar (\$2,000.00).

23) Order Type and No.: CO 03-149-W
Order Date: August 15, 2003
Responsible Party: **Eudy Enterprises, Inc.**
Facility: Pinecone Campground
Location/Mailing Address: 160 Sarrett School Road
Gaffney, SC 29341
County: Cherokee
Previous Order(s): None
Permit/System Number: SC0034002
Violation(s) Cited: S.C. Code Ann. § 48-1-110 (d)
24 S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Eudy Enterprises, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with the permitted discharge limits for TSS, BOD, and ammonia-nitrogen.

Action: The Respondent has agreed to: (1) operate and maintain the facility in accordance with applicable State and Federal regulations; (2) construct a septic tank/tile field system to eliminate discharge from the WWTF; and, (3) close out the WWTF in accordance with State and Federal regulations.

24) Order Type and No.: CO 03-150-W
Order Date: August 19, 2003
Responsible Party: **United States Air Force**
Facility: Shaw Air Force Base
Location/Mailing Address: 504 Shaw Drive
Shaw AFB, SC 29152
County: Sumter

Previous Order(s): CO 01-103-W, (\$0)
Permit/System Number: SC0024970
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d)
24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: United States Air Force (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with the permitted discharge limits for copper, pH, chronic toxicity, oil/grease, fecal coliform and flow.

Action: The Respondent has agreed to: (1) operate and maintain the facility in accordance with applicable State and Federal regulations; (2) relocate the outfall to the Wateree River in accordance with the schedule contained in the Order; and, (3) if relocation is not possible, upgrade the WWTF to comply with effluent limitations.

25) Order Type and No.: CO 03-153-W
Order Date: August 26, 2003
Responsible Party: **Town of Moncks Corner**
Facility: Moncks Corner WWTF
Location/Mailing Address: PO Box 266
Moncks Corner, SC 29461
County: Berkeley
Previous Order(s): CO 00-087-W, (\$4,200)
Permit/System Number: SC0021598
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d)
24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: The Town of Moncks Corner (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with the permitted discharge limits for BOD, fecal coliform and flow, and failed to monitor for ammonia-nitrogen at the frequency specified in its NPDES Permit.

Action: The Respondent has agreed to: (1) operate and maintain the facility in accordance with applicable State and Federal regulations; (2) evaluate and rehabilitate its wastewater collection system to eliminate extraneous flows throughout the system; (3) upgrade and expand the WWTF; and, (4) pay a civil penalty of nine thousand eight hundred dollar (\$9,800.00).

26) Order Type and No.: CO 03-154-W
Order Date: August 20, 2003
Responsible Party: **Moore Sewer, Inc.**
Facility: Madera Subdivision WWTF and
Linville Hills Subdivision WWTF
Location/Mailing Address: PO Box 2753

<u>County:</u>	Spartanburg, SC 29304
<u>Previous Order(s):</u>	Spartanburg Madera SD – AO 02-222-W Linville Hills – CO 01-129-W, and AO 02-215-W
<u>Permit/System Number:</u>	Madera SD – SC0021867 (inactive) Linville Hills – SC0034169 (expired)
<u>Violation(s) Cited:</u>	S.C. Code Ann. §§ 48-1-90(a) and 110(d) 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) 25 S.C. Code Ann. Regs. 61-68.E.5(a) and (c)

Summary: Moore Sewer, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the above two (2) WWTFs. The Respondent failed to eliminate discharge from the WWTFs, failed to complete closure of the WWTFs, and failed to sample discharge from the Madera Subdivision WWTF.

Action: The Respondent has agreed to: (1) complete closure of the Madera WWTF by December 12, 2003; (2) complete closure of the Linville Hills WWTF by March 18, 2004; and, (3) pay a civil penalty of ten thousand dollar **(\$10,000.00)**.

27)	<u>Order Type and No.:</u>	CO 03-155-W
	<u>Order Date:</u>	August 26, 2003
	<u>Responsible Party:</u>	Cheraw Manor, Inc.
	<u>Facility:</u>	Cheraw Manor
	<u>Location/Mailing Address:</u>	PO Box 272 Cheraw, SC 29520
	<u>County:</u>	Chesterfield
	<u>Previous Order(s)</u>	None
	<u>Permit/System Number:</u>	None
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a)

Summary: Cheraw Manor, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a septic tank and tile field system. The Respondent discharged wastewater into the environment.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a Corrective Action Plan (CAP) addressing the construction of a new tile field or connection to a regional sewer system; and, (3) pay a civil penalty of eight thousand dollars **(\$8,000.00)**.

BUREAU OF AIR QUALITY

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| 28) | <u>Order Type and No.:</u> | Consent Order 03-054-A |
| | <u>Order Date:</u> | August 5, 2003 |
| | <u>Responsible Party:</u> | L. Dean Weaver Construction Co., Inc. |
| | <u>Location/Mailing Address:</u> | 3451 Old Salem Road
Pamplico, South Carolina 29583 |
| | <u>County:</u> | Richland |
| | <u>Previous Order(s):</u> | 00-123-A (\$3,000) |
| | <u>Permit No.:</u> | None |
| | <u>Violation(s) Cited:</u> | Consent Order 00-123-A, and South Carolina Air Pollution Control Regulation 61-62.2, <u>Prohibition of Open Burning</u> |

Summary: L. Dean Weaver Construction Co., Inc. is a construction company located in Pamplico, South Carolina. In response to a complaint of open burning, the Department conducted an investigation on October 4, 2002, at a site located near Highway 21 South in Blythewood, South Carolina. During the investigation, the Department inspector observed three burning piles of land-clearing debris. The first pile was approximately 20 feet by 20 feet in size and approximately 678 feet from a public roadway. The second pile was approximately 20 feet by 20 feet in size and approximately 490 feet from a public roadway. The third pile was approximately 20 feet by 20 feet in size and approximately 543 feet from a public roadway.

Action: On April 8, 2003, the Department issued Weaver Construction a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on May 13, 2003. A Consent Order was negotiated in which Weaver Construction agreed to immediately cease open burning except as provided by the South Carolina Air Pollution Control Regulations, and pay a civil penalty in the amount of four thousand five hundred dollars (**\$4,500**). The penalty has been paid.

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| 29) | <u>Order Type and No.:</u> | Consent Order 03-055-A |
| | <u>Order Date:</u> | August 5, 2003 |
| | <u>Responsible Party:</u> | Intelicoat Technologies |
| | <u>Location/Mailing Address:</u> | Post Office Box 8429
Spartanburg, South Carolina 29305 |
| | <u>County:</u> | Spartanburg |
| | <u>Previous Order(s):</u> | 02-014-A (\$8000) |
| | <u>Permit No.:</u> | 1520-0182 |
| | <u>Violation(s) Cited:</u> | S.C. Code Ann. .48-1-110(d) and |
| | South Carolina Air Pollution Control Regulation 61-62.70 <u>Title V</u> | |
| | <u>Operating Permit Program</u> | |

Summary: Intelicoat Technologies, located in Spartanburg, South Carolina, is a dry photomask material coating facility. Intelicoat failed to submit an accurate Title V Annual Compliance Certification for the March 1, 2001, through February 28, 2002, reporting period. Intelicoat also failed to maintain the required pressure drop readings for its permanent total enclosure and failed to submit semiannual reports of pressure drop readings and thermal incinerator combustion temperature in a timely manner.

Action: On April 24, 2003, the Department issued Intelicoat a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on May 19, 2003. Intelicoat agreed to ensure that future Title V Annual Compliance Certifications accurately reflect the facility's compliance status, submit reports in accordance with the time frames established by its Title V Permit, maintain the required pressure drop on its permanent total enclosure, and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500**). The penalty has been paid.

30) <u>Order Type and No.:</u>	Consent Order 03-056-A
<u>Order Date:</u>	August 5, 2003
<u>Responsible Party:</u>	Stone Container Corporation
<u>Location/Mailing Address:</u>	Post Office Box 100544 Florence, South Carolina 29501
<u>County:</u>	Florence
<u>Previous Order(s):</u>	98-063-A (\$5,000)
<u>Permit No.:</u>	1040-0003
<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-90(a)

Summary: Stone Container Corporation ("Stone Container"), located in Florence, South Carolina, is a paper manufacturing facility. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1040-0003 to Stone Container, effective October 1, 2001. Stone Container exceeded its permitted emissions limit for particulate matter/particulate matter with a mean aerodynamic diameter of 10 microns or less ("PM/PM₁₀") of 8.8 tons per year during a December 21, 2001, source test of its thermal oxidizer.

Action: On December 3, 2002, the Department issued Stone Container a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on December 19, 2002. A Consent Order was negotiated in which Stone Container agreed to: submit to the Department a site-specific test plan to re-test the thermal oxidizer; conduct a Department-approved re-test of the thermal oxidizer within 30 days of the Department's approval of the site-specific test plan; submit to the Department, within 30 days of receiving the Department's source test summary an appropriate permit modification request or permit application based upon the results of the source test; and pay a civil

Violation(s) Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning

Summary: R.E. Goodson Construction Co., Inc., located in Darlington, South Carolina, is a construction company. In response to a complaint of open burning, the Department conducted an investigation on June 18, 2003, at a new subdivision project located at Carolina Forest Boulevard in Myrtle Beach, South Carolina. During the investigation, a Department inspector observed three burning piles of land-clearing debris. The first pile was approximately 15 feet by 30 feet in size and located approximately 270 feet from a public roadway. The second pile was approximately 15 feet by 20 feet in size and located approximately 462 feet from a public roadway. The third pile was approximately 15 feet by 30 feet in size and located approximately 282 feet from a public roadway.

Action: On July 29, 2003, the Department issued Goodson Construction Co., Inc., a Notice of Violation and a Notice of Enforcement Conference. Goodson Construction elected not to attend the scheduled enforcement conference. A Consent Order was issued in which Goodson agreed to immediately cease open burning except as in compliance with the South Carolina Air Pollution Control Regulations, and pay a civil penalty in the amount of three thousand five hundred dollars (\$3,500). The penalty has been paid.

33) Order Type and No.: Consent Order 03-059-A
Order Date: August 27, 2003
Responsible Party: **DuPont Teijin Films**
Location/Mailing Address: Highway 301 North
Florence, South Carolina 29506
County: Florence
Previous Order(s): 99-010-A (\$7,500)
Permit No.: 1040-0003
Violation(s) Cited: S.C. Code Ann. §48-1-90(a) and
§48-1-110(d); U.S. EPA Regulation 40 CFR 63, Subpart JJ;

Summary: DuPont Teijin Films ("DuPont"), located in Florence, South Carolina, manufactures polyester films. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1040-0015 to DuPont, effective February 7, 2001. DuPont failed to demonstrate compliance with a 95% emission reduction requirement for its methanol storage tanks as required by Compliance Agreement 02-007-A, exceeded its permitted emission limits for carbon monoxide during a November 13-14, 2002, source test of one of its boilers, and failed to certify its compliance status accurately in the Title V annual compliance certification ("TVACC") for the reporting period ending February 7, 2003.

Action: On December 17, 2002, the Department issued DuPont a Notice of Violation and a Notice of Enforcement Conference, and an enforcement

conference was held on January 6, 2003. A Consent Order was negotiated in which DuPont agreed to: ensure that it complies with all carbon monoxide emission limits established in its Title V permit; ensure that it accurately certifies its compliance status in the TVACC; submit to the Department within 15 days of the execution date of the Consent Order, an accurate TVACC for the reporting period ending February 7, 2003, and pay a civil penalty in the amount of thirteen thousand dollars **(\$13,000)**. The penalty is due September 27, 2003.

34) <u>Order Type and No.:</u>	Consent Order 03-060-A
<u>Order Date:</u>	August 28, 2003
<u>Responsible Party:</u>	CCX Fiberglass Products, Inc.
<u>Location/Mailing Address:</u>	Post Office Box 148 Walterboro, South Carolina 29488
<u>County:</u>	Colleton
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	TV-0740-0003
<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-110(d) and S.C. Code Ann. Reg. 61-72.70

Summary: CCX Fiberglass Products, Inc., located in Walterboro, South Carolina, manufactures plastisol-coated fiberglass screen and latex-coated scrim. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0740-0003 to CCX Fiberglass effective January 13, 2001. A condition of the Title V permit and State air quality regulations requires the facility to submit a Title V Annual Compliance Certification. CCX Fiberglass failed to submit its Title V Annual Compliance Certification for the certification period ending January 12, 2002. The certification was due to the Department by February 27, 2002. CCX Fiberglass submitted its Title V Annual Compliance Certification on September 5, 2002. The Title V permit also requires CCX Fiberglass to record pressure drop readings for the baghouse. The Title V Annual Compliance Certification indicated the records for September 2001 were not maintained.

Action: On July 31, 2003, the Department issued CCX Fiberglass a Notice of Violation and a Notice of Enforcement Conference. The facility elected to forgo an enforcement conference and proceed with a Consent Order. A Consent Order was negotiated in which the facility agreed to submit all of its reports in a timely manner and pay a civil penalty in the amount of four thousand dollars **(\$4,000)**. The penalty has been paid.

